

Special Terms and Conditions

1. Method of Payment

- A. The Recipient must use Standard Form (SF) 270, Request for Advance or Reimbursement, to request payment under this award. The policy of this office is to make reimbursement and not advance payments. An original and one copy of this request shall be submitted to the Contracting Officer quarterly. Invoice payment requests shall be made in U.S. currency.
- B. All Recipients are now required to participate in the Automated Clearing House (ACH) Vendor Payment System. This allows Recipients to receive payment by electronic means, to their financial institution. Questions concerning payment under the ACH Payment System must be directed to the Systems Accountant in the U.S. Geological Survey's Office of Financial Management at 703-648-7660.

2. Definitions

A. Grant Agreement

A grant agreement is the legal instrument reflecting a relationship between the Federal Government and a State or local government or other recipient whenever:

- (1) the principal purpose of the relationship is the transfer of money, property, services, or anything of value to the State or local government or other recipient in order to accomplish a public purpose of support or stimulation authorized by Federal statute, rather than acquisition, by purchase, lease, or barter, of property or services for the direct benefit or use of the Federal Government; and
- (2) no substantial involvement is anticipated between the executive agency, acting for the Federal Government, and the State or local government or other recipient during performance of the contemplated activity.

B. Cooperative Agreement

A cooperative agreement is the legal instrument reflecting a relationship between the Federal Government and a State or local government or other recipient whenever:

- (1) the principal purpose of the relationship is the transfer of money, property, services, or anything of value to the State or local government or other recipient to accomplish a public purpose of support, or stimulation authorized by Federal statute, rather than acquisition, by purchase, lease, or barter, of property or services for the direct benefit or use of the Federal Government; and
- (2) substantial involvement is anticipated between the executive agency, acting for the Federal Government, and State or local government or other recipient during performance of the activity.

C. Grantee / Cooperator

Grantee or cooperator means the nonprofit corporation or other legal entity to which a grant or cooperative agreement is awarded and which is accountable to the Federal Government for the use of the funds provided. The grantee or cooperator is the entire legal entity even if only a particular component of the entity is designated in the award document. For example, a grant or cooperative agreement award document may name as the grantee one school or campus of a university. In this case, the granting agency usually intends, or actually requires, that the named component assume primary or sole responsibility for administering the grant-assisted project or program. Nevertheless, the naming of a component of a legal entity as the grantee or cooperator in a grant or cooperative agreement award document shall not be construed as relieving the whole legal entity from accountability to the Federal Government for the use of the funds provided.

The term “grantee” or “cooperator” does not include secondary recipients such as subgrantees, contractors, etc., who may receive funds from a grantee pursuant to a grant.

D. Recipient

Recipient means grantee or cooperator.

E. Principal Investigator

The Principal Investigator is the individual designated by the Recipient (and approved by the USGS) who is responsible for the technical direction of the research project. The Principal Investigator cannot be changed or become substantially less involved than was indicated in the Recipient's proposal, without the prior written approval of the Administrative Contracting Officer.

F. Grants Program Manager

- (1) The Grants Program Manager will work closely with the Principal Investigator, to ensure that all technical requirements are being met. The Grants Program Manager's responsibilities include, but are not limited to, providing technical advice on the accomplishment of the proposal's objectives; reviewing the technical content of reports and the other information delivered to the USGS; determining the adequacy of technical reports; and conducting site visits, in coordination with the Regional Coordinator and the Contracting Officer, as frequently as practicable.
- (2) The Grants Program Manager is Dr. John Unger, External Research Grants Manager, US Geological Survey, 905A National Center, 12201 Sunrise Valley Drive, Reston, VA 20192. The Grants Program Manager does not have the authority to issue any technical direction which constitutes an assignment of additional work outside the scope of the award; in any manner causes a change in the total cost or the time required for performance of the award; or change any of the terms, conditions, or general provisions of the award.

G. Regional Coordinator

- (1) Regional Coordinators are in charge of conducting the peer review panels to evaluate both internal USGS and external research proposals in their region or area of expertise. A Regional Coordinator will work closely with the Grants Program Manager and the Principal Investigator to ensure coordination with other appropriate Principal Investigators and appropriate USGS project scientists working in the same region for overall conformance with USGS program goals and objectives within that region. The Regional Coordinator's responsibilities include, but are not limited to, providing technical advice on the accomplishment of the proposal's objectives; reviewing the technical content of reports and other information delivered to the USGS; determining the adequacy of the technical reports; and conducting site visits, in coordination with the Grants Program Manager and contract personnel, as frequently as practicable.
- (2) The Regional Coordinator does not have the authority to issue any technical direction which constitutes an assignment of additional work outside the scope of the award; in any manner causes a change in the total cost or the time required for performance of the award; or changes any of the terms, conditions, or general provisions of the award.

H. Contracting Officer (CO)

Contracting officers are individuals who have been delegated in writing by the USGS Office of Acquisition and Federal Assistance as the sole authority designated to obligate Federal funds and create terms and conditions of awards. They are the only individuals who have authority to negotiate, enter into, and administer awards resulting for this program. Contracting officers have responsibility to ensure the effective use of Federal funds.

Functions of the contracting officer include but are not limited to:

- (1) Issuing the grant program Announcement in coordination with the grants program manager.
- (2) Receiving grant proposals and related documents in response to a grant program Announcement. The contracting officer as receiving official shall mark all proposals with a control number and the date officially received. He shall notify each applicant of the receipt of its proposal.
- (3) Approving the grant program manager's Technical Evaluation Plan which describes in detail the evaluation process for a competitive grant/cooperative agreement program. The contracting officer shall ensure the openness and fairness of the evaluation and selection process.
- (4) Serving in an advisory capacity at peer review panel meetings. He shall interpret grant management policies to panel members.
- (5) Notifying grant program applicants whether or not they were selected for funding or of any other disposition of their application.
- (6) Negotiating, as necessary, the final grant/cooperative agreement budget.
- (7) Issuing grant/cooperative agreement awards and revisions to awards.
- (8) Approving invoice payments.
- (9) Receiving all requests for changes to an award. The contracting officer shall serve as the mandatory control point for all official communications with the grantee which may result in changing the amount of the grant/cooperative agreement, the grant/cooperative agreement budget, or any other terms and conditions of the grant.
- (10) Receiving financial reports required by the terms and conditions of the award.
- (11) Closing out grant/cooperative agreement awards when all applicable award requirements have been complied with.

3. Dissemination of Results and Reporting Requirements

The Principal Investigator is strongly encouraged to disseminate research results promptly to the scientific community and appropriate professional organizations; local, state, regional and federal agencies; and the general public. The U. S. Geological Survey (USGS), encourages the Recipient to publish project reports in scientific and technical journals. The Government may publish, reproduce, and use all technical data developed as a result of this award in any manner and for any purpose, without limitation, and may authorize others to do the same.

Data generated as a part of work funded under this program is not subject to proprietary period of exclusive data access. Any data generated must be made available to the USGS as soon as it is available. The USGS reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use the data for Government purposes. Any project funded in whole or part with funds obtained under this program shall fall under this program shall fall under this clause. The USGS Contracting Officer is the sole person to decide which data falls in this category should any question arise.

- A. Required reports/documents. The Principal Investigator or Director, Sponsored Research Office are required to submit the following reports or documents:

Report/ Document	No. of Copies and Method of Transmittal	Submit To†	When Due
(1) Publication*	5 reprints	Grants Program Manager	Immediately following publication. See Section B(1) below.
(2) Progress Report**	Original +3 copies	Grants Program Manager	Due 60 days before the end of the first project period. Second year funding is contingent on receipt of the report and demonstration of satisfactory progress. See Section B(2) below.
(3) Annual Project Summary	Email attachment of HTML or word processor file, or send FTP file, or floppy disk of same	Grants Program Manager	Due each November 1 of the project period. Report covers the period October 1, of prior year to September 30, of current year. See details of contents and formatting in section B(3) below.
(4) Annual or Final Technical Report plus Report Abstract	Unbound original and 4 bound copies. Email attachment or FTP complete HTML file or word processor file of report. Submit abstract as in block (3) above.	Grants Program Manager	Within 90 calendar days after the end of each 12-month budget period. See details of formatting in section B(4) below.
(5) SF 269 Financial Status Report	Original + 1	Contracting Officer	Within 90 calendar days after the end of each 12-month budget period. See B(5) below.

† See definitions in Section 2 entitled “Key Players” on page 5.

* Publication means any book, report, photograph, map, chart, or recording published or disseminated to the scientific community. Preprints of articles submitted for publications will be accepted as final reports.

** Applies only to multi-year awards. Recipients must submit a Progress Report to receive year-two funding.

- B. Report preparation instructions. The Recipient shall prepare the reports/documents in accordance with the following instructions:

Note: All Summaries and Technical Reports should be submitted on paper containing at least 50% recycled waste paper materials.

- (1) **Publications.** All publications that contain work performed during the project period shall include the following statements:

“Research supported by the U.S. Geological Survey (USGS), Department of the Interior, under USGS award number (*Recipient, insert award number*). The views and conclusions contained in this document are those of the authors and should not be interpreted as necessarily representing the official policies, either expressed or implied, of the U.S. Government.”

- (2) **Progress Report.** Recipients of multi-year awards shall submit a report that summarizes the progress of the project during the first funding period. Work that was proposed for the first year should have been completed in that year. The progress report shall consist of accomplishments, unanticipated problems encountered, plans for solving unanticipated problems, and any other information pertinent to the progress of the project. Funding expended by the Recipient during year one must also be detailed in the progress report.
- (3) **Annual Project Summary.** The Recipient is required to submit an Annual Project Summary each November 1 of the project period along with the Non-technical Project Summary. Report covers the period October 1, of the prior year to September 30, of the current year.

The Annual Project Summary should be between 3 and 6 pages long. For best results prepare your report as either an Adobe PDF¹ file or as an HTML-tagged document along with any illustration files in GIF or JPEG format. Alternatively, prepare the report in Microsoft Word or in WordPerfect with illustrations embedded in the file. Name the HTML-tagged or word processor file with the initial letter and 4 digits at the end of your assistance number, e.g., grant 00HQGR0001 would be **G0001.htm**; cooperative agreement 00HQAG0001 would be **A0001.doc**. USGS projects should name files with the 8 digits following the initial number “7” of the project number excluding the hyphen (Example: project 7160-12345 will name a file 16012345).

Submit either the HTML file and accompanying JPEG or GIF files, or the word processor or Adobe file with embedded graphics in one of two ways:

As an **E-mail attachment** to **gd-erp-coordinator@usgs.gov**. The subject of your email should be **“Annual Project Summary - insert your grant / project number here”**. (Please note that there is a 2MB limit on messages passing through our e-mail gateway. If your file is larger than 2MB, please send the images separately or send the file on a Zip disk.)

On **Floppy disk**. Label the disk with the word processor type, filename, your name, grant/project number and mail to:

External Research -- Annual Summary
U.S. Geological Survey, MS 905A
12201 Sunrise Valley Dr.
Reston VA 20192

Format the Annual Technical Summary as follows:

- ! Use 8½" x 11" pages for text and figures
- ! Leave a 1" margin at top, bottom, and sides
- ! All text single spaced
- ! Embed figures in the word processor file or submit as JPEG, or GIF formatted files.

- ! Figure captions directly under figures
- ! Do not number pages

At the top of the first page the heading should be centered and include:

- ! Title of the project, as stated on the original proposal
- ! External Grant award number (see your award documents)
- ! Investigator(s) name(s)
- ! Institution
- ! Address
- ! Telephone number, FAX number, E-mail address, and URL
- ! Program Element (see Attachment A²)
- ! Key words for indexing purposes - (Four or fewer only from Attachment G³). Use ONLY terms in the prescribed list without alteration. If none of the terms exactly match your work, choose the term that is closest to it.

The body of the report should consist of the following:

- ! Investigations undertaken
- ! Results
- ! Non-technical Summary: one paragraph, not more than 100 words, in plain English.
- ! Reports published
- ! Include a statement describing the availability of seismic, geodetic, or processed data, along with the name, phone number, and e-mail address of the contact person, and the format in which the data are available.

¹ URL for Adobe Acrobat: <http://www.adobe.com/prodindex/acrobat/main.html>

² URL for Attachment A: <http://www.usgs.gov/contracts/nehrrp/nehrrp-a.pdf> . You will need the Adobe Acrobat Reader which can be downloaded from the Adobe homepage at the following URL: <http://www.adobe.com/prodindex/acrobat/readstep.html> .

³ URL for Attachment G: <http://www.usgs.gov/contracts/nehrrp/nehrrp-g.pdf> . You will need the Adobe Acrobat Reader which can be downloaded from the Adobe homepage at the following URL: <http://www.adobe.com/prodindex/acrobat/readstep.html> .

(4) Annual and/or Final Technical Report.

Final/Annual Technical reports are not the same as the Annual Project Summary. Annual/Final Technical Reports shall describe in detail the work performed and results obtained during each preceding 12-month period. A Final Technical Report is due at the conclusion of the project period. If a project is funded for a single year only, a Final Technical Report is due 90 days after the conclusion of the project period. If a project is renewed, Annual Technical Reports are due for each renewal year and a Final Technical Report is due 90 days after the final renewal year.

- (a) Prepare the Annual/Final Technical Report in Microsoft Word or in WordPerfect with all illustrations embedded in the word processor file. Submit the report in both hard copy and as an Adobe Acrobat PDF or word processor file with all figures photographs and maps. Send all hard copies to:

External Research--Annual/Final Report

U.S. Geological Survey
905A National Center
12201 Sunrise Valley Drive
Reston, VA 20192.

Send electronic copies as follows:

Email attachments: gd-erp-coordinator@usgs.gov

FTP: 130.11.60.236 (Password is NEHRP)

Diskettes: **External Research--Annual/Final Report**
U.S. Geological Survey
Mail Stop 905A
12201 Sunrise Valley Dr
Reston VA 20192

(b) The original copy of the report shall be unbound or unstapled. Of the remaining five copies, one must be unbound and the remainder may be bound or stapled at the discretion of the Principal Investigator.

(c) Annual and Final Technical reports shall consist of the following sections:

(1) **Cover page** with the following information:

Award Number

TITLE (ALL UPPERCASE) For collaborative projects the title should be in the form "Title: Collaborative Research with First Institution name, and Second Institution name."

Author and Affiliation with Address and ZIP Code

Author's Telephone numbers, fax numbers and E-mail address.

(2) **Abstract**

Repeat the information on the Cover page

Body of the abstract: The Abstract of the Annual/Final Technical Report shall also be submitted as a separate document.

Prepare the Abstract as an HTML-tagged document along with illustration files in GIF or JPEG format. Alternatively, you may prepare your report in WordPerfect or Microsoft Word with any illustrations embedded in the word processor file.

Submit these files either as an email attachment or FTP (the preferred methods) or on a floppy disk. Please provide the complete grant or cooperative agreement award number, *e.g.*, **00HQGR0001**. Email the file(s) as attachment(s) to **gd-erp-coordinator@usgs.gov** or FTP to 130.11.60.236. The subject of your email should be **"Abstract - your grant number"**. For more information about formatting and sending see the External Research Program WWW page

at (<http://erp-web.er.usgs.gov>).

- (3) **Main body of the report.** The main body of the report shall be single-spaced on 8 ½- by 11-inch paper. The main body of the report shall be printed double-sided, including figures and bibliography (see 2.B.(5)(d) below). Oversized (>8 ½-inch by 11-inch) pages shall be placed in a pocket at the end of the report; not collated or bound with the report. Oversized pages should be used only if they are critical to convey data or conclusions. Electronic versions of oversized illustrations are also required to be sent with the electronic version of reports.
 - (4) **Bibliography** of all publications resulting from the work performed during each 12-month period and at the conclusion of the project. Copies of publications are required if the Recipient has not previously submitted them to the Project Officer.
 - (5) **SF 269, Financial Status Report.** The standard form 269 is due annually. Instructions are on the back of the SF 269. If there is an unobligated balance and all funds have been drawn, then submit a check made payable to "USGS, Department of the Interior" for the unobligated balance of Federal funds. This report is subject to audit.
- C. Adherence to reporting requirements. **A Recipient's failure to submit the required reports/documents, in a timely manner, may result in the withholding of payment, in termination of the award, or in delay or non-issuance of a new award.**

4. Continuation Proposal

Required Continuation proposal documents. The Recipient, approved for multi-year funding, shall submit the following documents for continued funding in year 2 and beyond:

Document	No. of Copies	Submit To	Due Date
Revised SF 424	Original + 1	Contracting Officer for all documents listed.	At least 60 calendar days prior to the end of the budget period.
Proposed Budget	Original + 1		Submit with the SF 424.
Negotiated Indirect Cost Rate Agreement (send only if new rate is negotiated)	1		Submit with the SF 424.
Changes, if any, in Proposed Technical Program	Original + 1		Submit with the SF 424.

5. Adherence to Original Research Objective and Budget Estimate

- A. Any commitments or expenditures incurred by the Recipient in excess of the funds provided by this award shall be the responsibility of the Recipient. Expenditures incurred prior to the effective date of this award cannot be charged against award funds unless provided for in this award.
- B. **The following requests for change require advance written approval by the Administrative Contracting Officer shown on your award. Your request must be submitted directly to the Administrative Contracting Officer at least 30 calendar days prior to the requested effective date of the change:**
 - (1) Changes in the scope, objective, or key personnel referenced in the Recipient's proposal.
 - (2) Request for supplemental funds.
 - (3) Transfer of funds between direct cost categories when the cumulative amount of transfers during the project period exceeds 10 percent of the total award.
 - (4) Foreign travel not approved at time of award.
 - (5) Acquisition of nonexpendable personal property (equipment) not approved at time of award.
 - (6) No-cost Extensions to the Project Period. **No cost extensions are discouraged.** The Earthquake Hazards Program (EHP) awards grants and cooperative agreements for research that extends or supplements ongoing research within the Geological Survey. The timely conduct of funded projects is of great importance to the achievement of EHP goals. Applicants should consider their time commitments at the time of application for a grant. Requests for no cost extensions will be considered on a case-by-case basis. The USGS reserves the right to limit the length of time and number of no-cost extensions. Applicants must supply documentation supporting their request for an extension. The Recipient shall include in the request the cause of the needed extension, a description of the remaining work to be completed, the proposed date of completion, the amount of funds remaining, and a revised budget for the remaining funds. If all funds have been disbursed to the Recipient, this must be indicated in the request. A request for an extension that is received by the Administrative Contracting Officer after the expiration date shall not be honored.
 - (7) Creation of any direct cost line item not approved at time of award.
 - (8) Any other significant change to the award.
- C. The Contracting Officer will notify the Recipient in writing within 30 calendar days after receipt of the request for revision or adjustment whether the request has been approved.

6. Nonexpendable Personal Property

Title to nonexpendable personal property acquired wholly or in part with Federal funds shall be vested in the Recipient unless otherwise specified in the award document. The Recipient shall retain control and maintain a property inventory of such property as long as there is a need for such property to accomplish the purpose of the

project, whether or not the project continues to be supported by Federal funds. When there is no longer a need for such property to accomplish the purpose of the project, the Recipient shall use the property in

connection with other Federal awards the Recipient has received. Under no circumstances shall title to such property be vested in a sub-tier recipient. Disposal of nonexpendable personal property shall be in accordance with the applicable OMB circular.

7. Record Retention Period

Unless a longer period is requested by the award, a Recipient shall retain all records for 3 years after the end of the project period for which it uses USGS award funds.

8. Pre-agreement Costs

Pre-agreement costs are not authorized under this program. Costs must be obligated during the project period.

9. Site Visits

Site visits may be made by U.S. Geological Survey representatives to review program accomplishments and management control systems and to provide technical assistance, as required.

10. Metric Conversion Requirements

All progress and final reports, other reports, or publications produced under this award shall employ the metric system of measurements to the maximum extent practicable. Both metric and inch-pound units (dual units) may be used if necessary during any transition period(s). However, the recipient may use non-metric measurements to the extent the recipient has supporting documentation that the use of metric measurements is impracticable or is likely to cause significant inefficiencies or loss of markets to the recipient, such as when foreign competitors are producing competing products in non-metric units.

11. Violation of Award Terms

If a Recipient materially fails to comply with the terms of the award, the Contracting Officer may suspend, terminate, or take such other remedies as may be legally available and appropriate in the circumstances.

12. Award Closeout

Awards will be closed out once all requirements have been met. Technical and financial reports must be submitted on time as specified in Item 2 of these Special Terms and Conditions. Failure to adhere to the reporting requirements may result in the non-payment of your final award invoice or in other adverse action.

13. Partnership with Grantees/Cooperators

The U.S. Geological Survey, through its federal grant/cooperative agreement awards, will collaborate with universities, federal state, local and tribal governments, and private organizations and businesses to provide relevant, timely, objective knowledge and information on natural resources, hazards and the environment.

14. Buy American Act Requirements

Notice: Pursuant to Interior and Related Agencies Appropriations Act, FY 2000, Public Law 106-113, please be advised on the following:

In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

15. Anti-Lobbying Requirements

The Recipient shall not use any part of the appropriated funds from the Interior and Related Agencies Appropriations Act, FY 2000, Public Law 106-113, for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete.

End of Special Terms and Conditions